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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/350,401	07/08/1999	ALESSANDRO SETTE	18623-013910	8008
26111 7	7590 03/24/2003			
STERNE, KESSLER, GOLDSTEIN & FOX PLLC			EXAMINER	
	ORK AVENUE, N.W. ON, DC 20005		SCHWADRON	, RONALD B
			ART UNIT	PAPER NUMBER
			1644	

DATE MAILED: 03/24/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.



DEA/FCE-1994

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	A	ITORNEY DOCKET NO.	
<u></u>					
			EXA	EXAMINER	
			ART UNIT	PAPER NUMBER	
			DATE MAILED:		

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a

general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

RONALD B. SCHWADRON PRIMARY EXAMINER GROUP 1860 (600

Ron Schwadron, Ph.D. Art Unit 1644

Application No.: 09/350401

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1 √ 1	. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
_ 2	This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
<u></u> 3	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
X 4	A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
5	The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6	The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7	. Other: see enclosed communication
Appl	icant Must Provide:
X A	n initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
A ir	in <u>initial</u> or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry ito the specification.
- '/^ \ a	statement that the content of the paper and computer readable copies are the same and, where pplicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or .825(b) or 1.825(d).
For c	puestions regarding compliance to these requirements, please contact:
	Rules Interpretation, call (703) 308-4216
	CRF Submission Help, call (703) 308-4212
For F	PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE





RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

RECEIVED

Application Serial Number: _

09/350,401

NOV 2 5 2002

Source:

Date Processed by STIC:

11/18/2002

TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (http://www.uspto.gov/ebc/efs/downloads/documents.htm, EFS Submission User Manual ePAVE)
- 2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
- 3. Hand Carry directly to:

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202

Or

U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION SERIAL NUMBER: 09/350,40/	
TTN: NEW RULES CASES	: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO	SOFTWARE
1Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."	
2Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.	
3Misaligned Amino Numbering	The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.	RECEIVED
4Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.	NOV 2 5 2002
5Variable Length	Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.	TECH CENTER 1600/2900
6PatentIn 2.0 "bug"	A "bug" in Patentln version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) Normally, Patentln would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.	
7Skipped Sequences (OLD RULES)	Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped	
Skipped Sequences (NEW RULES)	Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to Include the skipped sequences. Sequence(s) 197 missing! If Intentional, please insert the following lines for each skipped sequence. <210> sequence id number <400> sequence id number 000	
Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing. Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.	
0Invalid <213> Response	Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence	11.2 %
1Use of <220>	Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)	·
2Patentin 2.0 "bug"	Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.	
3Misuse of n	n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.	

AMC/MH - Biotechnology Systems Branch - 08/21/2001



1600

RAW SEQUENCE LISTING

DATE: 11/18/2002

PATENT APPLICATION: US/09/350,401

TIME: 16:08:28

Input Set : A:\2060 0060008seqlist.txt Output Set: N:\CRF4\11182002\I350401.raw

```
<110> APPLICANT: Alessandro Sette
 5
         John Sidney
 6
         Scott Southwood
 7
         Maria A. Vitiello
                                                                   Does Not Comply
         Brian D. Livingston
 8
                                                              Corrected Diskette Needed
 9
         Esteban Celis
10
         Ralph T. Kubo
         Howard M. Grey
11
12
         Robert Chesnut
14 <120> TITLE OF INVENTION: INDUCING CELLULAR IMMUNE RESPONSES TO
15
         HEPATITIS B VIRUS USING PEPTIDE AND NUCLEIC ACID
16
         COMPOSITIONS
18 <130> FILE REFERENCE: 2060.0060008
20 <140> CURRENT APPLICATION NUMBER: US 09/350,401
21 <141> CURRENT FILING DATE: 1999-07-08
23 <150> PRIOR APPLICATION NUMBER: US 08/820,360
24 <151> PRIOR FILING DATE: 1997-03-12
26 <150> PRIOR APPLICATION NUMBER: US 60/013,363
27 <151> PRIOR FILING DATE: 1996-03-13
29 <150> PRIOR APPLICATION NUMBER: US 09/189,702
30 <151> PRIOR FILING DATE: 1998-11-10
32 <150> PRIOR APPLICATION NUMBER: US 08/205,713
33 <151> PRIOR FILING DATE: 1994-03-04
35 <150> PRIOR APPLICATION NUMBER: US 08/159,184
                                                    Use of a and/or Xaa has been detected in the Sequence Li
36 <151> PRIOR FILING DATE: 1993-11-29
                                                    Review the Sequence Listing to insure a corresponding
38 <150> PRIOR APPLICATION NUMBER: US 08/073,205
                                                    explanation is presented in the <220> to <223> fields of
39 <151> PRIOR FILING DATE: 1993-07-04
                                                    each sequence using n or Xaa.
41 <160> NUMBER OF SEQ ID NOS: 3879
43 <170> SOFTWARE: FastSEQ for Windows Version 4.0
                                        what is this?
15591 <210> SEQ ID NO: 1197
15592 <211> LENGTH: 11
15593 <212> TYPE: DNA
```

ERRORED SEQUENCES

15595 <220> FEATURE:

15596 <223> OTHER INFORMATION: Artificially Synthesized Peptide

15598 <400> SEQUENCE: 1197

E--> 15599 000

is is an intentionally skyped follow the format shown in Euro Summar Wsr1350401.htm item 8 on Euro Summar Sheet. file://C:\CRF4\Outhold\VsrI350401.htm

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/350,401

DATE: 11/18/2002 TIME: 16:08:32

Input Set : A:\2060_0060008seqlist.txt
Output Set: N:\CRF4\11182002\1350401.raw

L:15599 M:300 W: (50) Intentionally skipped Sequence, : Sequence Id (1197) SEQUENCE: L:15599 M:252 E: No. of Seq. differs, <211> LENGTH:Input:11 Found:0 SEQ:1197 ' L:42597 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:42601 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3274 L:42602 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3274 after pos.:0 L:42614 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:42618 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3275 L:42619 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3275 after pos.:0 L:43125 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43129 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3314 L:43130 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3314 after pos.:0 L:43142 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43146 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3315 L:43147 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3315 after pos.:0 L:43159 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43163 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3316 L:43164 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3316 after pos.:0 L:43176 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43180 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3317 L:43181 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3317 after pos.:0 L:43193 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43197 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3318 L:43198 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3318 after pos.:0 L:43210 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43214 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3319 L:43215 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3319 after pos.:0 L:43227 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43231 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3320 L:43232 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3320 after pos.:0 L:43244 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43248 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3321 L:43249 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3321 after pos.:0 L:43261 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43265 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3322 $L:43266 \text{ M}:341 \text{ W}: (46) \text{ "n" or "Xaa" used, for SEQ ID$#:3322 after pos.:0$ L:43278 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43282 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3323 L:43283 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3323 after pos.:0 L:43295 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43299 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3324 L:43300 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3324 after pos.:0 L:43312 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43316 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3325 L:43317 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3325 after pos.:0 L:43329 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43333 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3326 L:43334 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3326 after pos.:0 L:43346 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/350,401 TIME: 16:08:32

DATE: 11/18/2002

Input Set : A:\2060_0060008seqlist.txt
Output Set: N:\CRF4\11182002\I350401.raw

L:43350 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3327 L:43351 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3327 after pos.:0 L:43363 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43367 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3328 L:43368 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3328 after pos.:0 L:43380 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43384 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3329 L:43385 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3329 after pos.:0 L:43397 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43401 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3330 L:43402 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3330 after pos.:0 L:43414 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:43418 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3331 L:43419 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3331 after pos.:0 L:44068 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44072 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3381 L:44073 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3381 after pos.:0 L:44085 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44089 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3382 L:44090 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3382 after pos.:0 L:44531 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44535 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3416 L:44536 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3416 after pos.:0 L:44548 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44552 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3417 L:44553 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3417 after pos.:0 L:44565 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44569 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3418 L:44572 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3418 after pos.:16 L:44584 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44588 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3419 L:44589 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3419 after pos.:0 L:44601 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44605 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3420 L:44606 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3420 after pos.:0 L:44618 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44622 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3421 L:44623 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3421 after pos.:0 L:44635 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44639 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3422 L:44640 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3422 after pos.:0 L:44652 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44656 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3423 L:44657 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3423 after pos.:0 L:44669 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44673 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3424 L:44674 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3424 after pos.:0 L:44686 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order! L:44690 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:3425